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Attorneys for Plaintiff Mark R Ciabattari and all
 others similarly situated

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

Mark R Ciabattari, and all other persons similarly situated,)	Case No. C-05-04289 SC
)	
Plaintiffs,)	Stipulation Setting Briefing Schedule for
)	Hearing on the Parties' Joint Motion for
vs.)	Preliminary Approval of a Nationwide Class
)	Action Settlement and Form of Notice and
Toyota Motor Sales, U.S.A., Inc., a California)	(Proposed) Order
corporation, et al,)	
)	
Defendants.)	

Whereas, on May 22, 2006, the parties reached a nationwide settlement of all claims in
 this action and related pending actions with the assistance of the Hon. Edward Infante of JAMS;

Whereas, the parties have agree to present the settlement to this Court for approval
 pursuant to Rule 23 of the Federal Rules of Civil Procedure;

Whereas, plaintiff joined with plaintiffs in similar class actions pending in federal district
 courts in Connecticut, New York, Ohio, New Jersey, Illinois and Florida;

Whereas, plaintiffs have withdrawn their motion made to the MDL Panel to have all the
 cases transferred to a single district court and coordinated and consolidated for pretrial purposes
 under 28 U.S.C. § 1407;

Whereas, the parties have stipulated to the filing of plaintiff's First Amended Complaint
 adding Bridgestone/Firestone North America Tire, LLC, one of the tire company suppliers to this

1 action, Toyota Motor North America, Inc., a related entity to Toyota Motor Sales, U.S.A. Inc.,
2 with the consent of those entities and with the understanding that that entities will promptly
3 appear in this action;

4 Whereas, the parties currently have scheduled a hearing on August 3, 2006, in this Court
5 for preliminary approval of the settlement and the form of notice to be sent to the class;
6

7 Whereas, the parties wish to move the date for hearing up to July 7, 2006, in order to
8 expedite the settlement process;

9 Whereas, the parties are prepared to submit their joint motion for preliminary approval of
10 the nationwide settlement by June 23, 2006, with no other pleadings to follow;

11 IT IS HEREBY STIPULATED, by and between counsel that the parties will submit their
12 joint motion for preliminary approval of the nationwide settlement and form of notice by June
13 23, 2006, with no other pleadings to follow, for hearing on July 7, 2006.
14

15 Dated: June 9, 2006. KEMNITZER, ANDERSON, BARRON & OGILVIE LLP

16 By /s/ Mark F Anderson
17 Mark F Anderson
18 Attorney for Plaintiff & the Class

19 Dated: June 9, 2006.

20 WILSON, ELSER, MOSKOWITZ, EDELMAN,
21 & DICKER LLP

22 By /s/ Ralph Robinson
23 Ralph Robinson
24 Attorney for Defendant Goodyear Dunlop
25 Tires North America, Ltd.

26 Dated: June 8, 2006.

27 O'MELVENY & MYERS LLP

28 By /s/ Jillian B. Allen
 Jillian B. Allen

Order Setting Special Briefing Schedule for Hearing on Plaintiffs' Motion for Preliminary Approval of Settlement and Form of Notice

Based upon the parties' stipulation and for good cause shown, the parties shall file their joint motion for preliminary approval of the settlement and form of notice to be sent to the class members by June 23, 2006, with no other pleadings to follow. The hearing on the motion shall be held on Friday, July 7, 2006, at 10:00 AM.

Dated: June 12, 2006.

